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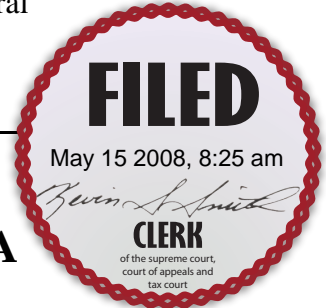
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**IN THE
COURT OF APPEALS OF INDIANA**



JOHNNY P. FORD,

Appellant-Defendant,

vs.

STATE OF INDIANA,

Appellee-Plaintiff.

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No. 20A03-0802-CR-75

APPEAL FROM THE ELKHART SUPERIOR COURT
The Honorable David C. Bonfiglio, Judge
Cause No. 20D06-0708-FD-259

May 15, 2008

MEMORANDUM DECISION – NOT FOR PUBLICATION

BAKER, Chief Judge

Appellant-defendant Johnny P. Ford appeals the sentence imposed by the trial court after Ford pleaded guilty to Theft, a class D felony. Ford argues that the trial court found an aggravating circumstance that was not supported by the record. Inasmuch as Ford concedes that the remaining two aggravators found by the trial court were proper, we affirm.

On June 5, 2007, Ford removed Mary Harrison's wallet from her purse while she was grocery shopping. On August 14, 2007, the State charged Ford with class D felony theft, and on November 5, 2007, Ford pleaded guilty as charged. At a December 6, 2007, sentencing hearing, the trial court found the victim's age, the professional nature of Ford's conduct in committing the crime, and Ford's extensive criminal history as aggravating circumstances and found Ford's guilty plea as a mitigator. The trial court imposed a three-year sentence with one year suspended to probation, ordering the sentence to be served consecutively to a sentence imposed in another cause.

In Anglemyer v. State, 868 N.E.2d 482, 490 (Ind. 2007), clarified on rehearing, 875 N.E.2d 218 (2007), our Supreme Court held that trial courts are required to enter sentencing statements whenever imposing a sentence for a felony offense. The statement must include a reasonably detailed recitation of the trial court's reasons for imposing a particular sentence. Id. If the recitation includes the finding of aggravating or mitigating circumstances, then the statement must identify all significant mitigating and aggravating circumstances and explain why each circumstance has been determined to be mitigating or aggravating. Id. We review sentencing decision for an abuse of discretion. Id. A trial court may abuse its discretion by entering a sentencing statement that includes reasons

for imposing a sentence not supported by the record, omits reasons clearly supported by the record, or includes reasons that are improper as a matter of law. Id. at 490-91. A person who commits a class D felony faces a term of imprisonment between six months and three years, with the advisory sentence being one and one-half years. Ind. Code § 35-50-2-7(a).

Ford argues that one of the aggravating circumstances found by the trial court—the victim’s age—is not supported by the record. Even if we assume for argument’s sake that this aggravator is not, in fact, supported by the record, Ford concedes that the remaining aggravating circumstances—the professional nature of his conduct and his extensive criminal history—are proper. Indeed, between 1979 and 1999, Ford amassed over thirty-five out-of-state arrests, though the outcomes of most of those proceedings are unknown. Since 2002, Ford has also amassed the following Indiana convictions: driving without taillights, two counts of misdemeanor criminal conversion, class D felony theft, five counts of class C felony forgery, two counts of class D felony fraud, and class D felony receiving stolen property. See Veal v. State, 784 N.E.2d 490, 494 (Ind. 2003) (holding that a single aggravator may be sufficient to support an enhanced sentence). Therefore, even if we accept that the victim’s age was not a proper aggravator, we find that the trial court did not abuse its discretion by finding the other two aggravators, which adequately support the sentence imposed.

The judgment of the trial court is affirmed.

NAJAM, J., and SHARPNARCK, Sr.J., concur.